

SENATE JOURNAL

Fifty-fifth Legislature—First Called Session

AUSTIN, TEXAS, MONDAY, OCTOBER 14, 1957

PROCEEDINGS

FIRST DAY

(Monday, October 14, 1957)

In obedience to the proclamation of the Honorable Price Daniel, Governor of the State of Texas, the Senate met in the Senate Chamber at the City of Austin, on the 14th day of October, 1957, at 10:00 o'clock a.m. and was called to order by the President.

Temporary Officers

The President announced the appointment of the following as temporary officers of the Senate:

Secretary, Charles Schnabel.
Journal Clerk, Minnie Meier.
Calendar Clerk, Martha Turner.
Doorkeeper, Charles Jones.
Sergeant-at-Arms, John Dorman.
Chaplain, Rev. W. H. Townsend.

Quorum Present

The President directed the Secretary to call the roll of the Senate.

The roll was called and the following Senators were present:

Aikin	Martin
Ashley	Moffett
Bracewell	Moore
Bradshaw	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

The President announced a quorum of the Senate present.

The invocation was offered by the Reverend W. H. Townsend, Chaplain.

Proclamation by Governor Calling Special Session

The President laid before the Senate and directed the Secretary to read the Proclamation from the Governor.

PROCLAMATION

by the

Governor of the State of Texas

To All to Whom These Presents Shall Come:

I, Price Daniel, Governor of the State of Texas, do by virtue of authority vested in me by the Constitution of Texas, hereby call a special session, 55th Legislature, to be convened in the City of Austin, commencing at 10 a.m. Monday, the 14th day of October, A. D., 1957, for the following purposes:

1. To define and provide for the registration of lobbyists and regulate the practices and reporting of those engaged in such activities.

2. To require the registration of persons who represent others before State Agencies.

3. To create a study commission to recommend to the next regular session of the Texas Legislature ways and means for improving law enforcement, criminal procedure and crime prevention.

4. To create and finance a statewide water planning agency to work in cooperation with State, local and Federal agencies in conducting research and planning for an over-all program of water conservation and flood control with authority to contract for water conservation storage in Federal reservoirs to be paid for out of revenues.

5. To consider and act on such other subjects and questions as the Governor may submit from time to time.

The Secretary of State will take notice of this action and will notify the Members of the Legislature.

Done at Austin, Texas, this thirteenth day of September, A. D. 1957,

TEXAS STATE LIBRARY
Austin, Texas

under the Seal of this State properly attested by the Secretary of State.
(SEAL) PRICE DANIEL
ATTEST:
ZOLLIE STEAKLEY

The Proclamation was read and was filed with the Secretary of the Senate.

**Senate Resolution 1
(Caucus Report)**

Senator Weinert offered the following resolution:

Austin, Texas,
October 14, 1957.

Honorable Ben Ramsey, Lieutenant Governor, Senate of Texas, Austin, Texas.

Sir: At a caucus held in the office of the Senate attended by 26 Members of the Senate, the following recommendations were made, to-wit:

The following officers were elected to serve for the First Called Session of the 55th Legislature, and at the salaries set opposite their names:

Secretary of the Senate, Chas. Schnabel, \$500.00 per month.

Two Assistant Secretaries of the Senate, which shall be appointed by the Secretary of the Senate, \$14.00 per day.

Journal Clerk, Minnie Meier, \$15.00 per day.

Sergeant-at-Arms, for the duration of the First Called Session, John Dorman, \$16.50 per day.

Doorkeeper, Chas. Jones, \$13.00.

Chaplain, Rev. W. H. Townsend, \$11.00.

Calendar Clerk, Mrs. Martha Turner, \$14.00.

Engrossment and Enrolling Clerk, Miss Essie McGinnis, \$19.00.

Postmistress, Mrs. Vance Stockton, \$14.00.

Mailing Clerk, Mrs. John Draper, \$14.00.

Parliamentarian, named by the Lieutenant Governor, Dan Moody, Jr., \$16.50.

It is recommended that the Lieutenant Governor and the Secretary of the Senate each be permitted to name one secretary, the secretary of the Lieutenant Governor to receive \$16.00 per day and the secretary of the Secretary of the Senate to receive \$14.00 per day. The salaries of other employees of the Senate may be supple-

mented at the discretion of the Contingent Expense Committee. All officers and employees elected by this caucus shall hold their office or employment for the duration of the First Called Session of the 55th Legislature.

It is further recommended that each Senator shall be permitted to employ a secretary and other office help at a maximum payroll of \$38.00 per day for each such Senator's secretary and employees with the maximum pay of \$14.00 per day for any such secretary or other office employee. The names of such employees shall be referred to an assignment committee hereinafter provided for and such committee shall be authorized to select employees from such list.

Salaries of other employees, unless otherwise fixed by the Senator, shall be \$12.00 per day.

It is further recommended that the Lieutenant Governor be authorized to name a committee of five, such committee shall be designated as an Assignment Committee for the purpose of assigning employees as herein authorized and the committee be authorized to select sufficient additional employees to be assigned by it when and where needed.

It is further recommended that the employees and the porters who were selected to prepare the Senate Chamber in advance of the meeting be allowed pay for their services.

It is further recommended that the several appointments of employees heretofore made by the Lieutenant Governor and announced in the Senate and considered by the caucus are confirmed.

The salaries of the day and night elevator operators shall be \$8.00 per day each, and the salaries of the porters shall be \$7.00 per day each, except the head porter whose salary shall be \$12.00 per day and the porter carrying the mail shall receive \$7.00 per day, and the salaries of the pages shall be \$5.00 per day, and the salaries of the messengers shall be \$6.50 per day.

The Lieutenant Governor is requested to recommend that the Southwestern Telephone Company employ Miss Mary Jacobs to attend the duties of the telephone operator of the Senate, and a night operator be named by the assignment committee, out of the employees whose names are filed with said committee.

The Lieutenant Governor, Senators

and the Secretary of the Senate are hereby fully authorized and empowered to use any assistant Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that no employee of the Senate, shall, during the time he or she is employed, furnish to any person, firm or corporation any information other than general information furnished the public pertaining to the Senate, and they shall not receive any compensation from any person, firm or corporation during their employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, members of the Senate, Secretary of the Senate, committee, or to the head of a department, shall report for duty at eight o'clock a.m., and one o'clock p.m., each day to the Sergeant-at-Arms of the Senate, except part-time employees, who shall report at the place and time directed by the Sergeant-at-Arms, and none of such employees shall be paid for the days they are absent from the Senate, unless excused by the Sergeant-at-Arms.

It is further recommended that the Lieutenant Governor, each Senator and the Secretary of the Senate, be allowed the stationery and postage needed by them, respectively, and expenses incurred in transmitting and receiving telephone and telegraph messages and express charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that 1700 journals be printed, all of which shall be prorated among the Senators and Lieutenant Governor, except that 175 journals shall be furnished the members of the House.

It is further recommended that the State Library be furnished 75 copies of the daily journals and 75 copies of the bound journals of the First Called Session of the 55th Legislature.

It is further recommended that the Senate request the State Comptroller of Public Accounts, to issue general revenue warrants for pay of the members and employees of the Senate upon presentation of the payroll account signed by the Presiding Officer and the Secretary of the Senate.

It is further recommended that each Senator, the Lieutenant Governor, the

Secretary of the Senate, and Librarian be permitted to subscribe for 4 newspapers to be paid for out of the contingent fund.

The elected officers of the Senate may select, subject to the approval of the Contingent Expense Committee, employees to fill such key positions as may be authorized by said committee.

It is further recommended that the President of the Senate has exclusive appointment of a sufficient number of custodians, messengers, pages, elevator operators, porters and other employees as in his judgment may be necessary.

It is further recommended that the Chairman of the Finance Committee shall have authority to employ such additional employees of his own selection as may be needed by said committee, said employees to receive the same compensation paid similar positions as herein fixed, who shall discharge the duties of the Finance Committee.

It is further recommended that the private rooms allotted to the Senators by the method as adopted by the caucus be assigned to Senators and their successors unless otherwise directed by the Senate.

It is further recommended that each Senator, as quickly as possible, file with the Secretary of the Senate the name of his private secretary selected; that he also file with the Chairman of the Assignment Committee aforesaid the names of the employees selected, together with his or her post office address. Be it further

Resolved, That no employee of the Senate except those whose official duties require them to work upon the floor of the Senate, shall have access to the floor unless that employee shall have been requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate to come on the floor for some official duty, which, when performed, he will immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

Only those who have the privileges of the floor during the sessions of the Senate shall be permitted on the Senate floor for a period of thirty minutes prior to the time the Senate convenes. The Sergeant-at-Arms is instructed to enforce this rule and to permit only those having the privileges of the floor to enter or remain

on the Senate floor during such thirty minute period.

Respectfully submitted,
WEINERT
Chairman of the Caucus.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the reading of the report was dispensed with and the resolution was unanimously adopted.

Motion in Writing

Senator Aikin submitted the following motion in writing:

October 14, 1957.

Mr. President:

I move that the President appoint a committee of five (5) Members to notify the Governor that the Senate is organized and ready for business.

AIKIN

The motion was read and was adopted.

Accordingly, the President announced the appointment of the following as a Committee to notify the Governor:

Senators Bracewell, Lock, Hazlewood, Fly and Smith.

Motion in Writing

Senator Aikin submitted the following motion in writing.

October 14, 1957

Mr. President:

I move that the President appoint a committee of five (5) Members to notify the House that the Senate is organized and ready for business.

AIKIN

The motion was read and was adopted.

Accordingly, the President announced the appointment of the following as a Committee to notify the House:

Senators Kazen, Reagan, Bradshaw, Owen and Fuller.

Senate Resolution 2

Senator Weinert offered the following resolution:

Resolved, That the permanent rules of the Senate of the 55th Legislature as adopted by the Senate on January 8, 1957, and as published in the

Manual of the 54th Legislature, as amended by the Senate on June 7, 1955, be adopted as the permanent rules of the Senate of the First Called Session of the 55th Legislature.

The resolution was read and was adopted by the following vote:

Aikin	Martin
Ashley	Moffett
Bracewell	Owen
Bradshaw	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Lock	

Absent

Hardeman Moore

Oath of Office Administered to Officers of the Senate

The President requested the elected officers of the Senate to proceed to the Bar of the Senate and they were administered the Constitutional Oath of Office.

Election of President Pro Tempore for the First Called Session of the Fifty-fifth Legislature

The President announced the election of a President Pro Tempore as the next order of business.

Senator Moffett nominated Senator Searcy Bracewell of Harris County as President Pro Tempore of the First Called Session of the Fifty-fifth Legislature.

Senators Aikin, Phillips and Parkhouse seconded the nomination of Senator Bracewell as President Pro Tempore.

There being no further nominations, the President appointed Senators Aikin and Moffett as tellers to take up and count the ballots.

The ballots were taken up and counted and the President announced that Senator Searcy Bracewell had received 28 votes with one present not voting for President Pro Tempore of the First Called Session of the Fifty-

fifth Legislature and declared him duly elected.

Senators Moffett, Phillips and Kazen were appointed to escort Senator Bracewell to the President's Rostrum. The President administered the Constitutional Oath of Office as President Pro Tempore for the First Called Session of the Fifty-fifth Legislature to Senator Bracewell and presented him to the Senate.

President Pro Tempore Bracewell addressed the Senate, thanking the Members for the high honor bestowed upon him and humbly expressed his appreciation thereof. He pledged his cooperation and best efforts in carrying out the duties of the office.

**Address of Senator Dorsey Hardeman
Ordered Printed in the Journal**

Senator Lane was recognized and addressed the Senate as follows:

Mr. President and Members of the Senate.

Recently, a former Member of this Body passed away at his home in Ft. Stockton. I refer to the late Senator H. L. "Heinie" Winfield who was known and respected during his long service with us.

Our colleague, the Senator from Tom Green now representing a large part of the district formerly represented by Senator Winfield, and his close personal friend, delivered an address at the funeral of Senator Winfield, thus fulfilling a request made by him and conveyed to Senator Hardeman by members of the family.

I, therefore, ask unanimous consent to print the address of Senator Hardeman delivered on that occasion, in the Senate Journal.

There was no objection offered.

The address is as follows:

Ladies and Gentlemen and Friends:

It probably will be considered somewhat unusual that I rise to make a few remarks on this occasion and, perhaps, a statement of explanation may be in order. Due to the close relationship, and at the request of our deceased friend, conveyed to me by members of his family, immediately following his death, I do so—entirely conscious of my inability to meet the responsibility of the hour. All of you will appreciate the difficulties under which this is undertaken.

H. L. Winfield was born in Zavala County December 6, 1887, and reared in San Antonio. He was married to

Miss Thio Young in 1908 and, with his bride, came to Fort Stockton in 1910. He departed this life, October 1st, only a few weeks short of the three score years and ten allotted man upon this earth. He is survived by his widow, his daughter, Mary, now Mrs. Asher McComb, two grandchildren, a sister, Mrs. H. M. Applewhite, and, of course, a host of friends.

I think it may be appropriately said of Senator Winfield's death that he has passed

"Out of the strain of the doing
Into the peace of the done,
Out of the Thirst of pursuing
Into the rapture of won."

It is befitting an occasion of this kind to recall some of the memorable and interesting incidents in the life of him whose memory we honor. In keeping with that custom this hour affords the opportunity for reflection upon the life of a noble son of Texas and the contemplation of the hope that lies within us.

The past half-century history of Southwest Texas, and especially of Fort Stockton and Pecos County, is closely intermingled with the life of Senator Winfield. This is a country, and an area, which he loved and to which he dedicated many years of active service. He knew and appreciated its possibilities and potentialities as did few men. He retained an abiding faith and confidence in it and its fine people, despite the disappointments of recurring economic adjustments resulting from nature's handiwork.

Senator Winfield's life is but another example of that fast-passing generation of individualists of the free-enterprise system, by reason of which our country has been enabled to attain the zenith of world recognition and leadership, but which is now being undermined by planned economies, pseudo-sociological and false psychological philosophies. He possessed the self-reliance of the founding fathers and was able to overcome reverses by tenacity and determination and sterling character. The many conveniences and marks of progress which contribute to modern-day living were absent from Fort Stockton when "Heinie" Winfield came here, as a young man, 47 years ago and began working for that grand old man of Pecos County—the late Judge Howell Johnson.

But "Heinie" Winfield, blessed by noble parents and imbued with in-

telligence, integrity and energy set out, with his own hands, to carve his place in the community and be of service to his fellowman. The admiration in which he was held is attested by his selection, again and again, to high offices in his county, his city and his district, by the people who knew him best.

He was a man of good business judgment and, with fortune smiling upon his many and varied interests, he was able to devote many of his most productive, as well as some of the most trying, years to the public weal, during twelve of which he ably and honorably represented this vast Southwestern and Trans-Pecos area in the Senate of Texas—also serving as acting Governor a part of such time—therein setting a standard of patriotic service long to be remembered and followed by those of us who were privileged to serve with him, as well as for me, as his successor, following legislative redistricting and his voluntary retirement from that office. Not for long was he to remain in the comparative peace and quiet of private life. Shortly thereafter he was appointed, by Governor Shivers, to be a member, and Vice-Chairman, of the Board of Directors of Texas A. & M. College, to which he made valuable contributions, until declining health forced his final retirement from public service. But his interest in public affairs and the free institutions of our land never ceased.

Time does not permit, or the proprieties of the occasion suggest, that I recount the innumerable contributions made by him to this area and to Texas, but I would be remiss not to mention his energy and untiring effort, in concert with a group of dedicated West Texans, many of whom are present today, to establish the Big Bend National Park, which ever shall be a monument to his and their foresight, in preserving this wonderland of nature to posterity.

My close personal, and political, association with Senator Winfield, and his family, for nearly 25 years, enabled me to draw on his vast and varied experience in determining many of those troublesome problems with which our section of Texas is inevitably confronted and, always, I found sympathetic and constructive suggestions. "Heinie" Winfield was a man true to his friends and ever ready to lend a helping hand or offer

words of real encouragement when they meant so much. His optimism was pervading and contagious; his natural humor and story-telling were most refreshing.

Senator Winfield leaves a rare heritage of accomplishment and service to those left to mourn his passing, of whom there are many. He faced each task with the heroic courage of those who do not count the cost. His character rested upon a foundation laid deep in human love. He lives because his works live.

He was a man modest in his personal affairs, but a strong advocate of those principles of square-dealing and honorable service, which he espoused. His clean habits, his consideration for his loyalty to, his family and his friends, his radiant personality—even to the day of his passing, I am told by those with whom he last visited—all contributed to the high esteem in which he was held by all those who knew him. No figure more genuinely and truly representative of the great Trans-Pecos area will appear soon on the horizon than the rugged form of him who lies so still today.

It has been well said that life is like a stream or river, from its source to its mouth, embracing the entire span of life and, wonderful it is to thus contemplate as a slender thread emerging from the miraculous realm of birth, it laughs and dances through the wonder-world of childhood. Its broadening current sweeps the plains of youth, between the flower-decked banks of romance and hope. A mighty torrent, it rushes over the rapids of manhood and breaks in foam upon the rocks of opposition and defeat, then glides away across the barren, sterile fields of age, until it is lost and engulfed in the waters of the eternal sea.

The robes of royalty, the beggar's rags, the rich man's golden hoard, the pauper's copper pence, the jeweled diadems of princes and the thorny crowns of martyrs, alike, are swept by the same ceaseless tides.

The miracle of birth, the mystery of death, remain the unsolved problems of all times. The shepherd philosopher who, 3,000 years ago, stood upon the Syrian plains observed the procession of the planets and contemplated the decrees of fate was as wise, perhaps, as the wisest today. He only knew that standing here upon this bank of time his straining eyes could not even glimpse the

shadowy outline of the farther shore. He could only behold the white sails of receding fleets; ships that sail out but never come again. He knew that at the grave's dread mouth all men must cast aside the burdens of their honors and their griefs; that man takes with him only that which he has freely given away; but that even death may not despoil him of the riches of service and self-service.

Measured by that standard, he who sleeps today bears with him to the tomb a legacy so rare that even envy is compelled to pay the tribute of admiration.

Let me speak of the man as my friend and say of him, as Marc Anthony said of Caesar: "He was my friend, faithful and just to me."

The great agnostic, Col. Ingersoll, said: "Life is a narrow vale between the cold and barren peaks of two eternities. We look in vain beyond its heights. We cry aloud, but the only answer is the echo of our wailing cry. From the voiceless lips of the unreplying dead, there comes no word, but in the hour of death hope sees a star and listening love can hear the rustle of a wing." Even to Ingersoll there seemed to be some kind of an idea, of an eternity that lies beyond. And so, we, as believers in the assurances of the Master, who have hopes "beyond its heights," may say of him who soon will sleep in the soil of his beloved land, that

"The dead are like the stars by day,
Withdrawn from mortal eye,
But not extinct, they hold their sway
In glory through the sky."

Senate Concurrent Resolution 1

Senator Martin offered the following resolution:

S. C. R. No. 1, Providing Joint Session to hear message of the Honorable Price Daniel, Governor of Texas.

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Senate and House meet in joint session in the House of Representatives at 11:30 a.m., October 14, 1957; and be it further

Resolved, That His Excellency, Price Daniel, Governor of the State of Texas be, and he is hereby invited to address the First Called Session of the Fifty-fifth Legislature in joint session.

The resolution was read.

On motion of Senator Martin and by unanimous consent the resolution was considered immediately and was adopted.

Accordingly the President announced the appointment of the following as a Committee to escort Governor Daniel to the Joint Session:

Senators Martin, Herring, Hudson, Colson and Aikin.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
October 14, 1957.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 1, Inviting the Governor Price Daniel to speak to a Joint Session on October 14, 1957, at 11:30 a.m.

H. C. R. No. 1, Providing pay of Members of the First Called Session of the Fifty-fifth Legislature.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Governor Notified

The Committee to Notify the Governor that the Senate was organized appeared at the Bar of the Senate and Senator Bracewell for the Committee notified the President and Senate that it had performed the duty assigned it.

House Notified

The Committee to Notify the House that the Senate is organized appeared at the Bar of the Senate, and Senator Kazen for the Committee reported that the Committee had performed the duty assigned it.

Senate Notified

A committee from the House appeared at the Bar of the Senate and Representative Weber for the committee announced that the House of Representatives was organized and ready to transact business.

At Ease

The President announced at 10:32 o'clock a.m. that the Senate would stand At Ease until 11:25 o'clock a.m.

In Legislative Session

The President called the Senate to order as in Legislative Session at 11:25 o'clock a.m.

Joint Session

(To hear an Address by the Honorable Price Daniel, Governor of the State of Texas.)

The President of the Senate and the Senators present proceeded to the Hall of the House of Representatives at 11:30 o'clock a.m.

The President by invitation of the Speaker occupied a seat on the Speaker's Rostrum.

The Senators were announced and were admitted and escorted to seats prepared for them along the aisle.

The Honorable Price Daniel, Governor of the State of Texas, and party were announced by the Doorkeeper of the House.

The Governor, accompanied by Mrs. Daniel and Jake Jacobsen, Administrative Assistant, were escorted to the Speaker's Rostrum by Senators Martin, Herring, Hudson, Colson and Aikin on the part of the Senate, and Representatives Winfree, Hughes of Dallas, Huebner, Huffman, Kelley, Kennard, McCoppin, Schwartz of Galveston and Smith of Hays on the part of the House.

The President called the Senate to order, and announced a quorum of the Senate present.

Honorable Waggoner Carr, Speaker of the House of Representatives, called the House to order, requested the Members to register and announced a quorum of the House present.

The Speaker of the House presented the Honorable Price Daniel, Governor of Texas, to the Joint Session.

The governor then addressed the Joint Session as follows:

MR. PRESIDENT, MR. SPEAKER, MEMBERS OF THE 55TH LEGISLATURE:

As you know by now, I am glad to see you again.

It is said that most chief executives breathe a sigh of relief when their legislative bodies adjourn and go home. Few executives ever ask for an early return. As you have noticed,

I do not entertain the usual apprehension of an assembly of the duly elected representatives of the people of this State. It is largely through you that the people of Texas govern themselves. I welcome your return, because it is my sincere belief that important work remains to be done on behalf of the people of Texas—work which should not be delayed until 1959.

Under the authority vested in me by Section 8 of Article IV of the Constitution, I have called you in special session to consider four subjects which I submitted as emergency matters in my first message to the Regular Session on January 17. It is no reflection upon you that these subjects were not disposed of during the Regular Session. There simply was not enough time to finish all of the work then under consideration. On numerous occasions I have complimented the work of this Legislature during the Regular Session, and here again let me say that in my opinion you enacted some of the most important legislation in the history of our State.

When I first suggested this special session, I was counseled by some to avoid it by saying that I had recommended all of these matters at the Regular Session and that the Legislature failed to pass them. I was told, "Don't take the risk of a special session. Your record is clear. Blame it on the Legislature." You would be surprised at the identity and number of those who volunteered this advice.

My reply in each instance was that this would be unfair to members of the Legislature who had worked seriously and tirelessly during the Regular Session and who could not be expected to finish every important item within the time allotted. Besides, the strength and success of our State Government depends upon understanding and co-operation between its executive and legislative branches. We are on the same team, representing the same people. Trying to excuse failures by fixing unwarranted blame on another branch of the same government does harm to the government itself and lowers all participants in the estimation of the people.

I have chosen the course of co-operative action which will enable us to demonstrate an effective and responsible State Government. That is far more important in this day and time than any individual selfish or politi-

cal interest which could possibly exist.

All of you know of my devotion to States' Rights and local self-government. Most of you know also of my conviction that the best way to protect the rights of our State and its people is for us to properly exercise the responsibilities which accompany those rights. Above all, we must justify and maintain full and complete confidence of the people in the honesty and integrity of their State Government and its processes. It was for this reason that the first items submitted in my message to the last Regular Session concerned public confidence and better enforcement of our laws. I said then and repeat now that nothing else that we attempt or accomplish will be very successful unless the people whom we represent are convinced of the honesty and integrity of our public officers and employees, and unless we do everything within our power to expose the few wrongdoers and prevent a repetition of their actions.

Accordingly, I resubmit to you my recommendation for the enactment of a law providing for registration and regulation of those who represent others before the Legislature. Most of those who engage in these activities, and the persons whom they represent, are registered already in the minds of those before whom they appear. They have nothing to hide. They constitute a legitimate profession and have no reason to fear this proposed legislation. On the other hand, there have been some undercover and unprincipled operators who have attempted to buy their way into the halls of government and who have succeeded only in creating scandals and enabling demagogues to cast reflections upon legitimate lobbyists and the entire State Government.

In the Federal Government and in 29 States where similar conditions have existed, legislation has been enacted to expose and prevent such corrupt practices. Our failure to do so in Texas would only prolong the demagogic attacks and the unfavorable publicity, both State and National, which has damaged the good name of Texas and has shaken the confidence of our people. That is why I consider this a matter which requires attention before the next Regular Session convenes.

I do not stand alone in my belief as to the importance of this legisla-

tion. In fact, it was recommended by both the House and Senate investigating committees of the 54th Legislature, both of which called upon the Legislative Council to draft a bill for strict lobby controls. Our Lieutenant Governor and Speaker of the House, and most of the members of this Legislature, advocated this reform during the last elections.

The Legislative Council prepared a bill and submitted to you a very detailed study of the question, including a comparison of the laws of the Federal Government and the other States. I recommend that the Council bill serve as the basis for your consideration, together with the staff's recent suggestion that the bill should be limited to "direct communications" for the purpose of promoting or opposing legislation, in order to remove any question concerning the constitutional aspects of the bill. I recommend that there be added to the Council draft a retention of the present prohibition against seeking to influence the vote of a member other than by an appeal to reason.

I again submit and recommend the enactment of a law requiring the registration of those who represent others before State commissions and agencies. The Legislative Council also has presented a bill and a study report on this subject.

I recommend the creation of a State Law Enforcement Commission to study ways and means to improve law enforcement and crime prevention, including a study of the Penal Code and our antiquated Code of Criminal Procedure. My present recommendation is that this Commission be appointed by the Governor, the Lieutenant Governor, and the Speaker of the House, and that it be constituted only as a study commission to make recommendations to the next Regular Session of the Legislature.

You will note that in this recommendation I have recognized that a majority of the Legislature believes that the additional purpose of the Commission originally recommended last session—investigation of allegations of misconduct on the part of State officials and employees—should be conducted by grand juries rather than by a commission of this nature. Although believing strongly in the benefit that would have come from my original recommendation, I respect the judgment of the majority of the legislative branch on this subject. In

fact, I have urged that Travis County grand juries handle and complete these investigations at the earliest possible time. I hope that the modification in my present recommendation will eliminate the past controversy concerning the proposed Law Enforcement Commission, because an important task needs to be performed in attempting to bring our criminal laws and procedures up to date.

The latest nation-wide crime reports from the Federal Bureau of Investigation, which were delivered to me only two days ago, show that the increase in major crimes in this State for the first six months of this year is again greater than the national average. During the first six months of 1957 major crimes increased in Texas 9.5% over the first six months of 1956. The nation-wide increase was 7.2%. The Texas record shows an increase in virtually all of the major crimes—murder, manslaughter, robbery, aggravated assault, larceny-theft, auto theft, and burglary. The rate on murder and non-negligent manslaughter was 5.1 cases per 100,000 population compared with 4.8 cases for the same period in 1956.

An investigation by the Houston Junior Chamber of Commerce in co-operation with Harris County officials indicates that the largest city in our State has had 112 murders thus far in 1957—a total exceeded only by New York and Chicago, both of which have far greater populations. They urge a study to write laws tightening the prohibitions against sale and use of deadly weapons. Our prison population has increased over 80% since 1947, which is more than three times as fast as the increase in our general population. The most disturbing statistic of all is the fact that 46% of these major crimes are being committed by boys and girls 17 years of age and under.

Many organizations and law enforcement officials insist that improvements in our laws would help reduce the crime rate in Texas. Since law enforcement is a matter left almost entirely to the States and local units of government, with a few notable exceptions in recent months, I feel that it is our obligation to do everything within our power to see that the State properly discharges its responsibility in this important field of government. I do not want the finger of Federal encroachment pointed at Texas because of inaction

on a law enforcement problem which we should face and do our best to correct.

The fourth subject of this call relates to the State's number one economic problem—proper planning, conservation and development of our water resources. At the Regular Session you passed several important measures designed to meet our water needs, including the submission of a Constitutional Amendment to be voted on November 5, which will provide a \$200,000,000 revolving fund to assist cities and local districts in conservation projects. I have appointed a committee of 150 citizens known as the Governor's Water Planning Committee to work for the adoption of this amendment. On November 5 the people will have an opportunity at the polls to approve one of the most progressive steps ever taken by the State to solve this critical problem.

There still remains the necessity for creation of a Statewide water planning agency to cooperate with other State, local, and Federal agencies in conducting research and planning for present and future water needs. I recommend the creation of this agency as a Planning Division within the Board of Water Engineers with adequate salaries to attract the finest engineers available for this service. This research and planning agency is the most essential need which we have in the field of water development and flood control. It would not operate or control any local activities or conflict with existing water rights. Its sole function would be to conduct research, assemble all available data, and cooperate with and coordinate the activities of all agencies interested in future planning so that there will be one source in the State for information and leadership on this subject. No such source exists today, and none is authorized by present laws.

This idea of long-range water resources planning is not new. It has been voiced over Texas and the nation for a number of years. Other States in the Union have heeded the cry and have made notable advancements. Twenty-one States have made provision for "overall planning" for water development.

Every committee and organization which has studied the Texas water problem in recent years has recommended the establishment and financing of a state planning agency. Such was the recommendation of your own

Texas Water Resources Committee, chaired by Senator Dorsey B. Hardeman, in its August 1955 report, and again by the Texas Water Resources Committee under the chairmanship of Senator George Parkhouse in 1956.

In recommending to the Regular Session several matters essential to proper water conservation on January 17, I began the list by submitting to you as an emergency matter the creation of a State-wide research and planning agency. In my budget message, I recommended the appropriation of \$1,024,000 for this purpose, the larger portion of which would go for research and topographic mapping.

This legislation is essential to the future growth and prosperity of Texas. Time has caught up with us. We can no longer take water for granted and neglect to plan for future needs. Lack of long-range planning in the past has contributed to water shortages and the estimated loss of two billion dollars during seven years of drought, followed immediately by more than one hundred million dollars lost in destruction from floods this year.

"Short on water and long on floods" is a symptom of neglect. It means that enough water falls on Texas soil, but it must be retained and put to useful rather than destructive purposes.

This proposed planning agency would study and plan to meet the water needs of the people of our State, not only for the present and the immediate future, but for future generations. The State-wide master plan should consider long-range water needs projected to at least the year 2000. That sounds like a far distant date, but it is only 43 years away. In point of time, it is about as near to us today as the creation of the State Highway Department in 1917—40 years ago. Can you imagine our present plight in transportation if this State had not started 40 years ago in the State-wide planning of highways to meet future needs of our people? It would be as bad as our plight with respect to water today. Can you imagine the plight of our sons and daughters with respect to water in Texas in the year 2000—43 years from now—if we who are citizens of this proud State fail to inaugurate an overall water program for the present, the immediate fu-

ture, and for long-range future needs?

If such a program is inaugurated at this Special Session of the Legislature, it will be an historic event. You will be writing an important chapter in the history of Texas.

I asked the 150-member Water Planning Committee to assist in the drafting of proposed legislation on this subject. The members of this committee, representing every section of the State and every possible interest in water, met in Austin on September 9 and agreed upon the proposed bill which I have handed to the Speaker and the Lieutenant Governor for your consideration. I am sure you will make improvements in the course of your public hearings, but I trust that no conflicting interests will prevent or delay the over-all objective.

The proposed bill includes the authority for the Board of Water Engineers to contract for storage space in Federal reservoirs, to be paid out of revenues, when found necessary to preserve and effectuate the State-wide plan for water conservation and development. This is an important provision which, depending upon future action by the Congress, would salvage part of the proposed conservation storage amendment which failed of passage last session. Its adoption will make Texas the first State to be able to take advantage of this newly proposed State-Federal plan of financing additional conservation storage in Federal flood control projects.

To finance the water planning program for the remainder of this biennium I recommend that the \$100,240 for watershed planning appropriated to the Board of Water Engineers conditioned on adoption of the constitutional amendment of November 5 be made immediately available, and that the \$500,000 contingency appropriation to the Texas Prison System for possible flood damage to crops be transferred to the Planning Division of the Board of Water Engineers. Because of the usual skillful management of the Director of Corrections, Mr. O. B. Ellis, and his staff, Mr. H. H. Coffield, Chairman of the Board of Corrections, has advised me by telegram dated October 13 that the anticipated cotton crop will be produced in spite of flood damage and that this money will not be needed for that purpose. A copy of the telegram is attached to this message.

I recommend that an additional \$400,000 be transferred from the appropriation made for relocation of the Blind, Deaf, and Orphan School to the Planning Division of the Board of Water Engineers. This fund is available because the Texas Youth Council has advised me by letter dated October 11, 1957, that the proposed relocation cannot be made within the time specified and within the funds available under House Bill 133. The Council has requested that the Legislature modify or remove this mandate to the Youth Council. A copy of the letter is attached to this message. The Attorney General has ruled in Opinion No. WW-275, dated October 11, 1957, that these transfers may be made in the proposed water planning bill without further certification by the State Comptroller.

The matter of State-wide water planning is particularly urgent today. It should not wait another year, because on July 17 two Federal agencies, the U. S. Corps of Engineers and the Bureau of Reclamation, were requested by Senator Lyndon Johnson to begin immediately to devise a master water plan for Texas insofar as Federal responsibilities are concerned. State responsibilities were not ignored. On the contrary, it was requested that the Federal plans be "tied in with State efforts in this connection." Both of the Federal agencies have agreed to proceed within the limits of their Constitutional and statutory powers, but they have called attention to the fact that the State has rights and responsibilities which must be put into action before they can proceed.

I attach to this message letters addressed to me from General L. E. Seeman, Division Engineer, U. S. Corps of Engineers, and from Hon. Robert W. Jennings, Regional Director, Bureau of Reclamation, on this subject. I hope you will take the time to read these letters. They constitute excellent examples of proper recognition of State ownership and responsibility insofar as our rivers and waters are concerned. The gist of their letters is that they are ready now to proceed with their part of a State-wide water plan for Texas as soon as the State is ready to initiate and furnish the leadership necessary for such a cooperative program.

This is a peculiar and embarrassing situation. Here we have two Federal agencies ready to act but declining to exceed their authority and

unable to proceed because of delay in State leadership.

What will happen if we continue to delay action on the State level? The answer is obvious. One of two things is sure to happen: either (1) some day the Federal agencies will end up by doing the planning for us on a "take it or leave it basis," or (2) Texas will have no comprehensive water plan at all.

One thing is sure today. Texas has need for State-wide water planning. Federal officials stand ready to cooperate in a proper and lawful manner to meet that need. Lack of a properly financed State planning program is delaying action.

Under these circumstances, you have the greatest opportunity of any Legislature that has occupied these chambers to build for the future progress of the people of Texas. I realize that some who tremble every time the people's elected representatives meet in the State Capitol have advised to let this matter ride until the Regular Session of the Legislature in 1959. The advocates of centralized Federal control would be happy to see two more years of state delay. And some of the strongest advocates of States' Rights often oppose State action, especially when it costs money or involves a special session of the Legislature.

As Governor, I have not followed the easy course of delay. I did not seek this office to maintain the status quo or to surrender the rights and responsibilities of my State through timidity or inaction. I sought a change from Federal to State service to work for the progress of Texas and its people, and to protect State and local rights through the proper exercise of State and local responsibilities. That is why I have called this session. I have every faith that you will meet the challenge which faces all of us who are entrusted with the Government of Texas.

I also present and recommend the passage of legislation which will provide for the construction of a building to house the State Board of Insurance. That provision of the recently enacted Insurance Reorganization bill was declared unconstitutional by the Attorney General because it was not properly covered in the caption. A new bill is being prepared on this subject.

Also, I submit for your consideration and recommend the amendment of Senate Bill No. 1, Acts of the 55th

Legislature, Regular Session, Chapter 1, so as to make available to any called session of the 55th Legislature, and to the interims between sessions, any money heretofore appropriated under the terms of said Act. This submission is made pursuant to Opinion No. WW-276 rendered by the Attorney General of Texas to the Comptroller of Public Accounts, dated October 11, 1957. Copies of the bill prepared by the Attorney General have been delivered to the Lieutenant Governor and the Speaker of the House.

In conclusion, let me thank you for your consideration and your cooperation. I offer you every assistance possible from the Governor's office. I shall be available at all times during this session to work with you in meeting the important responsibility which we share in the exercise of our duties and obligations to the people of Texas.

The following copies of letters are a part of the address by the Governor in that reference was made to each of them:

C O P Y

WESTERN UNION
TELEGRAM

DA 067 NSA 188 (14).
NS HSA228 PD—TDHS Huntsville,
Tex., 13 1155 AMC—

Austin, Tex. 1957 Oct 13 PM 12:37

Governor Hon. Price Daniel:

The accomplishments of the Staff in making a bumper cotton crop in the face of apparent unsurmountable odds after the floods early this year is unbelievable. Having already harvested over 7500 balance out of estimated 11000. The contingent appropriation of \$500,000.00 will not be needed. The Board agrees that these funds should now be available for some other appropriation.

H. H. Coffield, Chairman, Texas
Board of Corrections.

7500	11000	\$500,000.00
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James A. Turman, Ph.D.
Acting Executive Director
Telephone GR 2-6284, GR 2-6285

Council Members

Frank M. Wilson, Chairman, Waco
Robert W. Kneebone, Houston
Louis Henna, Round Rock

TEXAS YOUTH COUNCIL

213 West 14th Street

AUSTIN, TEXAS

October 11, 1957

The Honorable Price Daniel
Governor of Texas
Austin, Texas

Dear Governor Daniel:

After investigation of the various factors involved in complying with Senate Bill No. 478, 55th Legislature, the Texas Youth Council is of the opinion that it is not to the best interest of the State, the Blind, Deaf, and Orphans' Home and the functions of the Youth Council in general to undertake construction of a new institution at this time, with the funds available under House Bill No. 133.

It is our opinion that it would be impossible to replace the present facilities and equip same within the funds provided.

Two necessary new buildings have just been completed on the present campus of the institution which it is doubtful could be functional for any other purpose.

We believe community relations for this institution are now at a high level. Difficulty in this respect and new problems might be presented if removal is effected at this time.

The Superintendent of this institution has advised the Council that he is apprehensive of problems resulting from removal of the institution now. It is possible that further study and work on this problem may make it advisable at a future date to enable a change to be made, and we are certainly giving the matter a continuing study.

Accordingly, it is our opinion that the proposed move of the Blind, Deaf and Orphans' School is not in the best interest of the State and we request that the Legislature modify or remove this mandate to the Texas Youth Council.

Sincerely yours,

/s/ Frank M. Wilson
Chairman

FMW/wm

LETTER FROM GENERAL
SEEMAN TO GOVERNOR DANIEL

U. S. Army Engineer Division,
Southwestern Corps of Engineers
1114 Commerce Street
Dallas 2, Texas

August 15, 1957

Honorable Price Daniel
Governor of Texas
Austin, Texas

Dear Governor Daniel:

We have been advised by the Chief

of Engineers of the proposal of Senator Johnson for the preparation of a Federal water program for the State of Texas.

Inclosed are copies of the exchange of correspondence on this subject; this was also carried in the Congressional Record of 5 August 1957. As indicated in the reply of the Chief of Engineers there is full agreement as to the importance of water control and utilization and he desires to cooperate in every way possible in bringing about a program of development consonant with the State's interest in its water resources. Let me assure you that we in the field offices of the Corps are in wholehearted sympathy with these objectives.

As a routine matter all reports pertaining to water use and development are normally coordinated with the State Board of Water Engineers, which has been very cooperative. However, due to possible scope and complexity of the program proposed by Senator Johnson as well as the high degree of collaboration between Federal and State agencies which will be required in its preparation, it appears proper that this subject be brought directly to your attention for consideration at this time.

I have received a letter from the Regional Office of the Bureau of Reclamation at Amarillo proposing a meeting to discuss ways and means for initiation of work on this proposed program. There is inclosed a copy of this letter together with my reply, but it seems to me that a necessary prelude to planning for initiation of work on this program would be an expression of the State's program. Your views on this matter would be appreciated.

Sincerely yours,
(Signed) L. E. SEEMAN
Brigadier General, USA
Division Engineer

LETTER FROM GENERAL
ITSCHNER TO SENATOR
JOHNSON

ENGKW 29 July 1957

Honorable Lyndon B. Johnson
United States Senate
Washington, D. C.

Dear Senator Johnson:

On 17 July 1957, Brigadier General Person of my staff met with you and the Commissioner of Reclamation to discuss collaboration between the Corps of Engineers and Bureau of Reclamation in development of a

water plan for the State of Texas. The next day I received your memorandum setting forth in further detail your views on development of an integrated water plan, and inviting our comments.

In your memorandum you specifically request the following action:

a. That the Corps and Bureau, working together, devise and submit to you, not later than 30 April 1958, a "mock-up" of a Texas statewide water program.

b. That the Corps and Bureau provide you with proposals on a "basin account" system for water sales from Federal reservoirs concerned with inter-basin plans to support irrigation; and initiate discussions for establishing in Texas a uniform policy for disposal of conservation space in Federal reservoirs to the appropriate State agency.

c. That directives be issued to Corps and Bureau field offices for immediate collaboration; reappraisal of proposed reservoirs in accordance with the realities of water supply requirements now established; and for complete field level agreement on space allocations prior to the inter-agency review process.

As General Person has indicated to you, the Corps of Engineers is in full agreement with your conviction that water supply is the key to the economic future of Texas. We will be glad to collaborate in the development of a realistic and integrated water control plan that embraces water supply, flood control and related water resources uses and problems.

In my opinion the engineering aspects of the study, and of the plan you desire, will not be as difficult as the political and economic problems that must be resolved. From our experience with water problems in the State of Texas we anticipate that serious conflicts of interest may be involved in determining the uses to be made of the limited water supply available. The physical and engineering plan must to a large extent be tailored to fit the water needs and uses which will control the economic future of Texas.

Federal agencies concerned with water resource development can be of great assistance to the State of Texas in defining water supply requirements; in advising on water use; in devising an adequate engineering plan; and in recommending to Congress Federal participation in the necessary construction. But only the State of Texas can finally determine

how its available water should be used. This fact leads me to suggest that our objective is the development of a State water control plan, with Texas taking the lead in coordinating the necessary studies, rather than a Federal plan.

The Federal agencies concerned with water resources development should cooperate fully with the State in a coordinated effort in developing the water control plan within their respective authorities, and must collaborate fully, as you point out, at both field and Washington level. I have instructed my people to cooperate fully in that effort. There should be no duplication of effort or conflict of interest. You indicate that the Bureau of Reclamation has already gone far toward defining water needs by acres for agricultural, municipal and industrial use and is engaged in formulating a statewide plan. We would wish to review this information and make full use of it in reappraising existing and authorized reservoirs under our jurisdiction and in preparing further plans in coordination with the Bureau, so that we may all work toward a common objective. On the other hand the Corps of Engineers has, during its studies and from experience with project operation during the drought years and recent floods, amassed a great deal of information which we feel would be useful to the Bureau of Reclamation in the development of a coordinated program. It is probable that other Federal agencies may also be able to contribute materially. The potential effect on the problem of small upstream storage reservoirs would indicate a need for collaboration by the Department of Agriculture in the study.

In your discuss of this problem and in your memorandum you indicated a desire to proceed as rapidly as possible. I agreed that early positive action is essential. The prolonged drought and recent floods have clearly shown that present facilities for water storage are inadequate. In a report last spring on drought conditions we pointed out the general possibilities of modifying existing projects to afford greater water supply storage and stated that as a regular procedure we intended to re-examine authorized projects in this light as they reached the design stage and funds were made available for pre-construction planning. We also warned at that time against any general conversion of existing flood storage capacity to water supply use, in view

of the possibility that the drought might be broken by a period of heavy rainfall. The events of recent months have amply demonstrated the need for a much larger flood storage capacity.

I suggest therefore that as an initial phase of the over-all investigation you have proposed, we review our already authorized projects in the light of over-all requirements and objectives. Since it appears a practical certainty that these projects are now, or can be modified to be, key elements of any over-all integrated program which may be developed, this would appear to be a practicable first step which would provide the basis for prompt action on any additional authorization by Congress that might be necessary, and would pave the way for early appropriations for construction. Under the authority now available to us and with funds which the Senate is now considering for appropriation for Fiscal Year 1958, I believe that we can complete by 30 April 1958 a reappraisal of the nine reservoirs which are now authorized but not started.

We would at the same time, of course, continue working with the State of Texas, the Bureau of Reclamation, and other Federal agencies toward the development of an integrated water control plan. While we will make every effort to present a "mock-up" of such an over-all plan by the date you suggest, I am unable to make a firm commitment on this point without more complete knowledge of the status of studies by the Bureau of Reclamation and the State of Texas.

With reference to your request for a proposal on a "basin account" system for water sales from Federal reservoirs to support irrigation, it may not be possible at an early stage to anticipate what might be acceptable to the various conflicting interests in Texas. This is a highly controversial matter which basically should be resolved by the State and the several interests involved since in the final analysis the success of any repayment plan will depend upon its acceptance by the many interests concerned, urban, industrial and rural, who will be required to enter into the cost sharing arrangements. The decisions involving the use and distribution of the increased water supplies as between municipalities, industries, and irrigation interests are matters primarily of State and local concern. Discussions of this matter with representatives of the State and affected in-

terests would of course be a basic necessity.

I am inclosing for your information a brief statement giving the status of the authorized Civil Works program in Texas and an appraisal of our present ability to proceed with these improvements based upon anticipated appropriations for Fiscal Year 1958.

I appreciate the opportunity you have given me to comment on your proposal. While my suggestions as to procedure differ in some degree from the general outline of your memorandum I feel that they recognize the primary interest of the State of Texas in planning for its water resources and that they provide a sound basis for participation and collaboration by the Federal agencies concerned, and they afford the opportunity for early positive action on key elements of an over-all plan. It is my intention to discuss further details of procedure with the Commissioner of Reclamation, if you concur with the suggestions contained herein. It would also be desirable at an early date to enlist the interest and leadership of the State of Texas in this undertaking.

Sincerely yours,
(Signed) E. C. ITSCHNER
Major General, USA
Chief of Engineers

LETTER FROM DIRECTOR
JENNINGS TO GOVERNOR
DANIEL

United States
Department of Interior
Bureau of Reclamation
Post Office Box 1609
Amarillo, Texas

August 28, 1957

Honorable Price Daniel
Governor of Texas
Austin, Texas

Dear Governor Daniel:

I am writing you as the result of recent Federal and State actions relating to plans for solution of the water problems of Texas.

Senator Lyndon B. Johnson has asked the Bureau of Reclamation and the Corps of Engineers to coordinate their activities in Texas for the purpose of making available to the State their joint views on the State's water problems and to prepare jointly by April 30, 1958, a "mock-up" of a Statewide water program where Federal funds would be involved.

By letter dated July 25, 1957, the Commissioner of Reclamation, recognized the necessity for State leadership in the coordination of such a program, assured the Senator of our cooperation in obtaining these objectives, and instructed me to initiate necessary field-level discussions with the Corps of Engineers. Accordingly, I wrote General L. E. Seeman, Division Engineer of the Corps of Engineers, at Dallas on August 9, 1957, suggesting an early meeting to initiate the required collaboration between our agencies.

In Senator Johnson's request to the Bureau and the Corps of Engineers, he stated that the State of Texas was being asked to coordinate its activities with those of the two Federal agencies. Please be assured that you will have the full cooperation of the field offices of the Bureau of Reclamation in achieving such coordination and that all of the information and resources at our offices will be made available to you. Similar cooperation has been previously extended to the Texas Board of Water Engineers.

In order to indicate the nature and scope of the assistance which we can provide the State in the solution of its water problems, a brief review of our recent and current activities in Texas may be helpful. These activities have been concerned primarily with developing and refining the concepts concerning Texas water problems expressed in a report entitled "Water Supply and the Texas Economy" which we prepared in December 1952 at the request of Senator Johnson. This was printed as Senate Document 57, 83rd Congress, 1st Session.

This document outlines in general form our ideas regarding the scope and magnitude of Texas water supply problems, the manner in which these problems could best be solved, the beneficial effect of such solutions on the State and National economies and the principles which should govern Federal participation in a joint Federal-State approach to those solutions. Among other things, the report concludes that formulation and implementation of an integrated, inter-basin plan for development of Texas rivers is essential if the State is to obtain the maximum practicable benefits from its tremendous surface water resources. With respect to Federal-State relationships, the report stresses the State's paramount right to full control over development of such resources and emphasizes that it is the

State's responsibility to assume leadership in formulating the necessary plans for such development. The following quotations from pages 17 and 81 of Senate Document 57, will serve to illustrate these views:

"The State (Texas) has a responsibility to develop water policies and programs which it conceives to be in its own interest in order, among other things, to provide a means of evaluating Federal proposals for water-resource developments. It would be appropriate for Texas to establish an entity empowered to evolve State-wide water programs and water policy and to collaborate with Federal efforts on water problems in the State interest."

"Accomplishment of an integrated, inter-basin solution or solutions will require coordination of the efforts of the various State interests concerned with Texas water problems. Crystallization of the State's wishes with respect to control and utilization of its water resources and translation of those wishes into firm and comprehensive engineering, financial, and legislative proposals is a formidable task that may transcend the authority of any presently constituted body. This task is particularly appropriate for assumption by the State as is determination of the extent to which Federal participation in development and accomplishment of the ultimate proposals should be sought."

These views of ours on the necessity for State leadership have not changed in the four years since they were expressed. They are stressed throughout Senate Document 57 and again in our brochure, "Elements of the Texas Water Problem," released in January 1957. I am enclosing copies of these publications for your information.

In 1954, as the result of the concepts expressed in Senate Document 57, we were directed by the Congress at the request of the Texas delegation to further examine Texas water problems, primarily from the Federal investment viewpoint. It was recognized that future Federal investments in Texas water programs could run into hundreds of millions of dollars. Our examination was to establish a basic framework which would assure that such investments would be of maximum benefit to both Texas and the Nation. In the ensuing studies, we have accumulated a mass of data which I believe will be most useful in establishing a sound basis for a comprehensive Statewide water-use plan.

Our studies, known as the Texas Gulf Basins Project Investigation, have been made with planning funds made available to us through actions of the Texas Congressional delegation. Since 1954, we have spent about \$1,500,000 on this investigation, which is scheduled for completion in 1960 at an estimated overall cost of \$4,000,000.

Much of our work to date has been concerned with establishing the location and magnitude of the water supplies which must be developed and delivered to points of use during the next 50 years if Texas is to take full advantage of its potentialities for municipal and industrial growth and irrigation development. On the basis of our findings with respect to water requirements, we have made preliminary hydrologic analyses of the water resources of each of the State's major river basins and reconnaissance engineering studies of reservoir sites which could be utilized to develop such water resources into dependable water supplies. Finally, we have put together in a very preliminary fashion a program of water supply developments which could supply all major foreseeable municipal, industrial, and irrigation water requirements.

In formulating this very preliminary and tentative water-use plan, we have followed the principles set forth in Senate Document 57, and we have incorporated all of the proposals and views of the various State and local agencies concerned with water supply development, insofar as they are known to us. In order to complete the "mock-up" requested by Senator Johnson, it will be necessary for us to become much better informed regarding the views of these agencies, as well as those of the State government itself.

As the "mock-up" is intended to serve as a guide to assure the most effective investment of Federal funds in Texas water developments, it can constitute only a portion of an overall State water plan. It appears, however, that the results of our investigations can be of material assistance to the appropriate State agencies in the formulation of such an overall plan. I therefore suggest that arrangements should be made whereby the information at our disposal can be made available to these agencies. Our Area Development Office in Austin, with Mr. Harry P. Burleigh as the engineer in charge, will represent

me in making and carrying out such arrangements.

It appears to me that we have a common objective in our approach to Texas water problems. We both desire to see the State's water resources put to their most effective and beneficial use. I am looking forward to close and effective collaboration with you and the concerned State and local agencies in achieving this objective. Please allow me to again assure you that you will have the full cooperation of the Bureau of Reclamation in your efforts to solve one of your State's most pressing problems.

Sincerely

(Signed) Robert W. Jennings
Regional Director

At the conclusion of the address the President announced the purpose of the Joint Session concluded and requested the Senate to retire to the Senate Chamber.

In Legislative Session

The President called the Senate to order as in Legislative Session at 12:23 o'clock p.m. today.

Senate Bills on First Reading

Pursuant to provisions of the Proclamation of the Governor for the First Called Session of the Fifty-fifth Legislature, the following bills were introduced, read first time, and referred to the committees indicated:

By Senators Parkhouse, Ashley, Owen, Fuller, Roberts, Hudson and Gonzalez:

S. B. No. 1, A bill to be entitled "An Act providing for the preparation and effectuation of a state-wide plan for the development, conservation and beneficial use of the water resources of Texas; declaring the purpose as in furtherance of Section 59(a) of Article 16 of the Texas Constitution, defining certain terms, creating the Texas Water Resources Planning Division within the Board of Water Engineers providing for the appointment and removal of the Planning Engineer to head such Division; prescribing the duties and authority of the Planning Division and Planning Engineer; requiring the Planning Division to accumulate certain data from other sources; authorizing the State Soil Conservation Board to appoint a representative to work with the Planning Engineer; enumerating

matters for consideration in formulating the statewide water plan and giving effects to the master plans of certain political subdivisions of the State; requiring a preliminary report on the statewide plan, or any part, and publication thereof by the Planning Division; providing for public hearing after notice before approval by the Board of the statewide plan or any portion thereof; authorizing the Board to require changes in the plan; requiring printing and distribution of the approved plan; declaring the effect of the plan as approved; providing for a method of amending the plan providing for employees of the Planning Division and their compensation; transferring to the Planning Division certain funds that have been heretofore appropriated, authorizing the Planning Engineer to receive contributions to effectuate the purposes of the Act; empowering the Board of Water Engineers, under certain conditions, to acquire conservation storage in reservoirs created by dams constructed by the United States government; conferring certain powers upon the Board after acquiring storage; establishing matters for the Board to consider in contracting, authorizing political subdivisions to contract with the Board; granting priorities to certain political subdivisions in acquiring conservation storage; prescribing conditions for acquiring storage or water from the Board; preserving vested rights and certain rights of river authorities and others; providing for a liberal construction; containing a severability clause; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Martin:

S. B. No. 2, A bill to be entitled "An Act to be known as the Representation Before the Legislature Act; defining terms; providing for the registration of persons who undertake by direct communication, to promote or oppose the passage of any legislation by the Legislature or the approval or veto thereof by the Governor; providing certain exceptions to application of the Act; providing for the information required of registrants under the Act and for separate or supplemental reports; providing for the filing of reports by registrants, the information to be contained therein and the time of filing; providing that the provisions of this Act shall not be

construed as repealing Chapter 14 of the Election Code of 1951; providing for the duties of the Secretary of State; prohibiting contingent fees, prohibiting unauthorized persons from going on the floor of either House of the Legislature; prohibiting the employment, or offer of employment to members of the Legislature, the Governor, or the Lieutenant Governor with reference to legislation; prohibiting the attempt to influence a member of the Legislature, the Lieutenant Governor or the Governor except by an appeal to reason; prohibiting spurious communications and providing for penalty; fixing venue; providing that the provisions of this Act shall be cumulative of certain Articles of the Penal Code; repealing certain Articles of the Penal Code; providing a severability clause and declaration of legislative intent; and declaring an emergency."

To the Committee on State Affairs.

By Senator Bracewell:

S. B. No. 3, A bill to be entitled "An Act relating to the regulation of certain persons who undertake to promote or oppose the passage of legislation by the Legislature or its ap-

proval or veto by the Governor or who attempt to influence the Governor with respect to appointments to office, or submission of messages to the Legislature; requiring the Secretary of State to furnish the necessary forms for registration; prohibiting contingent fees in connection with legislation; prohibiting entrance on the floor of either House; providing a penalty, repealing Articles 179, 180, 181, 182, and 183 of the Texas Penal Code, 1925; providing that the provisions of the Act shall be severable; and declaring an emergency."

To the Committee on State Affairs.

Address of Governor and Copies of Letters Relating Thereto Ordered Printed in Journal

On motion of Senator Martin and by unanimous consent the address of the Governor to the Joint Session and the copies of letters relating thereto were ordered printed in the Journal.

Adjournment

On motion of Senator Aikin the Senate at 12:28 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Mrs. Charles B. Metcalfe

Senator Hardeman offered the following resolution:

(Senate Resolution 3)

Whereas, At the age of 97 years, Mrs. Charles B. (Margie) Metcalfe of San Angelo, Texas, was gathered unto her fathers, and

Whereas, Mrs. Metcalfe, a native of Georgia, was married to the late Charles B. Metcalfe on February 7, 1898 in Atlanta, Georgia, and came to Tom Green County immediately thereafter and developed a deep interest in the ranching and farming business in which her husband was engaged, and

Whereas, Mrs. Metcalfe was active in civic and community enterprises and possessed of a keen interest in public affairs, having served as President of the American Legion Auxiliary of San Angelo and was a charter member of the 20th Century Club of San Angelo and a member of the Presbyterian Church, U.S., for almost 90 years, and

Whereas, She was a familiar figure in the Capitol at Austin having accompanied her husband during his membership in the House of Representatives and her son, Honorable Penrose B. Metcalfe, during his membership both in the House of Representatives and in the Senate of Texas, and

Whereas, it is the desire of the Senate to recognize the long and useful life of this pioneer West Texan and express its sympathy to her surviving son, Honorable Penrose B. Metcalfe: Now, be it

Resolved, By the Senate of Texas that the sympathy of the Senate be and the same is hereby expressed and that a page in the Journal be set aside in memory of Mrs. Metcalfe and that when the Senate adjourns today, it do so in her honor and that copies of this resolution be sent to the surviving members of her family.

HARDEMAN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
Honorable H. L. Winfield

Senator Hardeman offered the following resolution:

(Senate Resolution 4)

Whereas, A distinguished Texan and former member of this body, Honorable H. L. Winfield, departed this life on October 1, 1957, at his home in Fort Stockton, Texas, and

Whereas, He was born in Zavala County on December 6, 1887, and was reared in San Antonio where he lived until his removal to Fort Stockton in 1910, where he began his business and political career, and

Whereas, The past half-century history of Southwest Texas, and especially Fort Stockton and Pecos County, was intermingled with the life of this able son of Texas—an area which he loved and to which he dedicated many years of constructive service, and

Whereas, Senator Winfield's life is exemplary of that fast-passing generation of individualists of the free-enterprise system upon which our nation was able to attain the zenith of world recognition and leadership, but which is now being undermined by planned economies and pseudo-sociological and false psychological philosophies, and

Whereas, Senator Winfield, blessed with noble parents, possessed of the self-reliance of the founding fathers and imbued with intelligence, integrity and energy, set out to carve his place in the community and be of service to his fellow-man, and was able to overcome reverses by tenacity, determination and sterling character, and

Whereas, with fortune smiling on his many and varied business interests, he thus was enabled to devote many of his most productive years to the public weal, by serving as Pecos County Tax Assessor-Collector, County and District Clerk, Mayor of Fort Stockton and for twelve years ably and honorably representing the vast Southwestern and Trans-Pecos areas in the Senate of Texas—therein setting a standard of patriotic service long to be remembered and followed by those privileged to serve with him, as well as succeed him, following his voluntary retirement from the Senate, and

Whereas, He was recalled to public service to become a member and Vice-Chairman of the Board of Directors of Texas A. & M. College, to which he made valuable contributions, until declining health forced his final retirement from public life, and

Whereas, "Heinie" Winfield, was modest in his personal affairs, but a vigorous advocate of those principles of square-dealing and honorable service which he espoused, and with his clean habits, his consideration, loyalty to his family and his friends, his radiant personality—even to the day of his passing—leaves a rare heritage of accomplishment and service to those left to mourn his death, and

Whereas, It is the desire of the Senate to pay its tribute to him and to express its sympathy to the surviving members of his family, namely, his widow, Mrs. Thio Winfield of Fort Stockton, his daughter, Mrs. Asher McComb, his two grandchildren, Molly Marie McComb and Mary Margaret McComb, all of San Antonio, and his sister, Mrs. H. M. Applewhite of Laredo; now, therefore, be it

Resolved, By the Senate of Texas, that a page in the Journal be set aside in memory of Honorable H. L. Winfield; that when the Senate adjourns today it do so in his honor and that copies of this Resolution be sent to the members of his family and to the County of Pecos and the City of Fort Stockton, under the official seal of the Senate by the Secretary of the Senate.

HARDEMAN

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bracewell, Bradshaw, Colson, Fly, Fuller, Gonzales, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Lock, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.